

AMENDED

Serial No. 54286

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. JAN 5 1990  
 Returned to applicant for correction. JAN 29 1990  
 Corrected application filed. FEB 5 1990 Map filed NOV 11 1989 under 54103

The applicant TENNECO MINERALS COMPANY  
 P.O. BOX 1017 of FALLON  
 Street and No. or P.O. Box No. City or Town  
 NEVADA hereby make application for permission to change the  
 State and Zip Code No.  
 POINT OF DIVERSION OF A PORTION  
 Point of diversion, manner of use, and/or place of use  
 of water heretofore appropriated under PERMIT 52786  
 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

- The source of water is UNDERGROUND  
Name of stream, lake, underground spring or other source.
- The amount of water to be changed .223 CFS  
Second feet, acre feet. One second foot equals 448.3 gallons per minute.
- The water to be used for MINING AND MILLING  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for MINING AND MILLING  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point SW1/4 of SW1/4 of Section 1 T22NR33E  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.  
 MDB&M or at a Point From Which the NE Corner of Said Section 1 Bears N 48° 31' 12" East of a Distance of 6910 Feet.
- The existing permitted point of diversion is located within SW1/4 of SE1/4, Section 6 T22N, R34E, MDB&M From Said Point the NE  
If point of diversion is not changed, do not answer  
 Corner of Section 1, T22N, R33E, MDB&M Bears N 34° 07' 26" W at a Distance of 5,618.43 Feet.
- Proposed place of use NW1/4 of SW1/4 Section 1 T22N, R33E, and NE1/4 of SE1/4  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
 Section 2 T22N, R33E, SW1/4 of SW1/4 Section 1 T22N, R33E, MDB&M
- Existing place of use NW1/4 of SW1/4 Section 1 T22N, R33E, and NE1/4 of SE1/4  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.  
 Section 2 T22N, R33E, SW1/4 of SW1/4 Section 1 T22N, R33E, MDB&M
- Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) From Well Head Through 2" Flow Meter Through 2" Brass Gate Valve, Through 2" Above Ground Pipe Line to Process Area.  
State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works. 14,000.00
- Estimated time required to construct works. Completed, Described Above.

14. Estimated time required to complete the application of water to beneficial use. Completed one day After  
Well was Capped.

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This Well (S4104-T) Along With #52442 and #52786 Should Provide  
Sufficient Water for Dust Control on Haul Roads and Crushing. The  
Rest Will be Used for Processing and for Domestic Water. The  
Temporary Permit (#54103-T) Will Not be Used At This Time. We Will  
Wait Until #54104-T Proves It Can Produce The Needed Volume of Water  
for Processing.

s/Dan Slyter, agent, Tenneco Minerals  
By P.O. Box 1017  
Fallon, NV 89406

Compared bp/ db bp/se

Protested \_\_\_\_\_

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 52786 is issued subject to the terms and conditions imposed in said Permit 52786 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 52442, 52786, 54103-T and 54286 shall not exceed 23.723 million gallons annually.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.223 cubic feet per second, but not to exceed 11.86 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before September 8, 1990.

Proof of completion of work shall be filed before October 8, 1990.

Application of water to beneficial use shall be made on or before September 8, 1992.

Proof of the application of water to beneficial use shall be filed on or before October 8, 1992.

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed \_\_\_\_\_ IN TESTIMONY WHEREOF, R. MICHAEL TURNIPSEED, P.E.,

Proof of beneficial use filed \_\_\_\_\_ State Engineer of Nevada, have hereunto set my hand and the seal of my

Cultural map filed \_\_\_\_\_ office, this 27th day of June,

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_ A.D. 19 90

R. Michael Turnipseed, P.E.  
 State Engineer

AGENT  
WITHDRAWN BY APPLICANT DEC 17 2003  
Turnipseed, P.E. STATE ENGINEER  
 (Rev. 6-81)

(PERMIT TERMS CONTINUED)

subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The issuance of this permit causes Permit 54104-T to expire.